

**PUBLIC CHAPTER NO. 1052****HOUSE BILL NO. 2719**

**By Representatives Fincher, Lynn, Maggart, Todd, Hardaway, DuBois,  
Bass, Pitts, Hood**

**Substituted for: Senate Bill No. 2765**

**By Senators Burks, Marrero, Ford, Black, Raymond Finney, Beavers,  
Johnson**

AN ACT to amend Tennessee Code Annotated, Section 37-1-131, relative to school attendance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 37-1-131(a)(2)(B), is amended by deleting the subdivision in its entirety and substituting instead the following:

(B) The court shall make a finding that the child's school shall be notified, if:

(i) The adjudication of delinquency was for an offense involving:

- (a) First degree murder;
- (b) Second degree murder;
- (c) Rape;
- (d) Aggravated rape;
- (e) Rape of a child;
- (f) Aggravated rape of a child;
- (g) Aggravated robbery;
- (h) Especially aggravated robbery;
- (i) Kidnapping;
- (j) Aggravated kidnapping;
- (k) Especially aggravated kidnapping;
- (l) Aggravated assault;

- (m) Felony reckless endangerment; or
- (n) Aggravated sexual battery; or
- (ii) The adjudication of delinquency was for a violation of:
  - (a) Voluntary manslaughter, as defined in § 39-13-211;
  - (b) Criminally negligent homicide, as defined in § 39-13-212;
  - (c) Sexual battery by an authority figure, as defined in § 39-13-527;
  - (d) Statutory rape by an authority figure, as defined in § 39-13-532;
  - (e) Prohibited weapon, as defined in § 39-17-1302;
  - (f) Unlawful carrying or possession of a firearm, as defined in § 39-17-1307;
  - (g) Carrying weapons on school property, as defined in § 39-17-1309;
  - (h) Carrying weapons on public parks, playgrounds, civic centers, and other public recreational buildings and grounds, as defined in § 39-17-1311;
  - (i) Handgun possession, as defined in § 39-17-1319;
  - (j) Providing handguns to juveniles, as defined in § 39-17-1320; or
  - (k) Any violation of § 39-17-417 that constitutes a Class A or Class B felony; and
- (iii) School attendance is a condition of probation, or if the child is to be placed in the custody of a state agency and is to be placed in school by a state agency or by a contractor of the state agency;

SECTION 2. Tennessee Code Annotated, Section 37-1-131(a)(2)(I)(ii), is amended by deleting the first sentence in its entirety and substitute instead the following language:

If an information release is executed in compliance with § 33-3-109 that provides the principal or other designated school personnel access to certain information concerning the child, the principal or other designated school personnel may work with the child's mental health provider to develop this plan.

SECTION 3. Tennessee Code Annotated, Section 37-1-131(a)(2), is amended by adding the following language as a new subdivision (H) and by redesignating subsequent subdivisions accordingly:

(H) Upon the subsequent enrollment of any such student in any other LEA, the parents or custodians of such student, and the administrator of any school having previously received the same or similar notice pursuant to this section, shall notify the school in the manner specified in § 49-6-3051.

SECTION 4. This act shall take effect July 1, 2008, the public welfare requiring it.

**PASSED: May 13, 2008**

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
RON RAMSEY, SPEAKER  
SENATE OF THE SENATE

**APPROVED this 28th day of May 2008**

  
PHIL BREDESEN, GOVERNOR